

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

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PCT REC'D 06 JUL 2005

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/GB2005/001219

International filing date (day/month/year)
29.03.2005

Priority date (day/month/year)
26.03.2004

International Patent Classification (IPC) or both national classification and IPC
E04B5/12, E04B1/26

Applicant
EASY JOIST LIMITED

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/GB2005/001219

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material:
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing:
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/GB2005/001219

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	8,14,15,17,28
	No: Claims	1-7,9-13,16-27,29-35
Inventive step (IS)	Yes: Claims	
	No: Claims	1-35
Industrial applicability (IA)	Yes: Claims	1-35
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V.

- 1 Reference is made to the following document:
D1 : GB-A-2 392 928
D2 : GB-A-2 304 352
D3 : GB-A-1 564 752
D4 : US-A-2 176 450
- 2 Document D1 discloses (the references in parentheses applying to this document):
a joist holder including a preformed sleeve of water-impermeable material for receiving one end of a joist, the sleeve being mountable on a wall and a method for mounting said joist in said wall including the steps of inserting an end of said joist into said sleeve and mounting said sleeve onto said wall.
- 2.1 INDEPENDENT CLAIMS 1 AND 23
As can be seen from the above, document D1 discloses in combination all the features defined in independent product claim 1 and in independent method claim 23. Hence the subject-matter of these claims is not new (Article 33(2) PCT).
- 2.3 INDEPENDENT CLAIMS 30, 31 AND 35
Document D1 also discloses in combination all the features defined in each of independent claims 30, 31 and 35. Hence the subject-matter of these claims is not new (Article 33(2) PCT).
- 3 DEPENDENT CLAIMS 2-16, 18-22, 24-30, 32-34
Dependent claims 2-16, 18-22, 24-30, 32-34 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT):
 - 3.1 All of the features introduced by dependent claims 2-4, 6, 7, 9-11, 13, 16-17*, 22, 24-27, 29-30, 32, 33 and 34 are disclosed, in combination with those of the claim or claims from which they dependent, in D1.
(*Although the sort of plastic material which the skilled person would use to make a joist holder of the type disclosed in D1 would be in practice slightly translucent if

made thin enough (note that claims 16 and 17 refer to the *material* of holder and not directly to the holder itself), thus anticipating the subject matter of claim 16.

Furthermore, since the holder of D1 clearly comprises panels of some kind (see for example Fig. 1), these panels will be formed of such material.)

- 3.2 The combination of all of the features of at least one variant of the subject matter of claim 12 is disclosed in document D2.
- 3.3 The combination of all of the features of at least one variant of the subject matter of each of claims 18-20 is disclosed in document D3.
- 3.4 In claims 8 and 21 slight constructional changes in the joist holders of claims 7 and 19 or 20 are defined which would come within the scope of the customary practice followed by persons skilled in the art. Consequently, the subject-matter of these claims lacks an inventive step.
- 3.5 The features introduced by each of claims 14 and 15 are described in document D4 as providing the same advantages as in the present application. The skilled person would therefore regard it as a normal design option to include these features in the joist holder described in document D1 in order to solve the problem posed.